

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DREW E. BURBRIDGE, *et al.*,)
Plaintiffs,)
v.) Case No. 4:17-CV-2482-RLW
CITY OF ST. LOUIS, MISSOURI, *et al.*,)
Defendants.)

MOTION TO DISMISS

Defendant City of St. Louis, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, hereby moves to dismiss the Missouri state law claims asserted against it in Counts V, VI, VII, VIII, and X of Plaintiffs' Complaint. In support of its motion, Defendant states as follows:

1. Plaintiffs' state law tort claims asserted against the City of St. Louis in Counts V, VI, VII, VIII, and X of Plaintiffs' Complaint are barred by the doctrine of sovereign immunity.
2. In accordance with Local Rule 7-4.01, Defendant has submitted herewith a memorandum in support of this motion, setting forth the argument and authorities relied upon.

WHEREFORE, and for all of the foregoing reasons, Defendant City of St. Louis respectfully requests the Court to dismiss the claims asserted by Plaintiffs against it in Counts V, VI, VII, VIII, and X of their Complaint, and grant Defendant any such other and further relief the Court deems fair and appropriate.

Respectfully submitted,

JULIAN BUSH,
City Counselor

/s/ H. Anthony Relys

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Attorneys for Defendant City of St. Louis

CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2017, the foregoing **Motion to Dismiss** was served via the Court's electronic filing system upon all counsel of record.

/s/ H. Anthony Relys

H. Anthony Relys
Assistant City Counselor